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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,360	09/26/2003	Anthony M. Talarico	90687	3040
24628	7590	06/05/2006		
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			EXAMINER GOODWIN, JEANNE M	
			ART UNIT 2841	PAPER NUMBER

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,360

Applicant(s)

TALARICO, ANTHONY M.

Examiner

J. Goodwin

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejection – 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all Obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6, 8-10, 12-14, 16-23 rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,945,910 to Gorra in view of US 2003/0036915 to Neumann et al. [hereinafter Neumann].

Regarding claims 1, 12 and 19: Gorra discloses an apparatus for maintaining services information, the apparatus comprising:

a chassis/reporting and monitoring module (12) mountable on a wall (Fig. 1) being maintained by an administrator for reporting and monitoring a service performed by an employee;

at least one electronic display (22) on said chassis, said display for displaying a time (col. 7, lines 52-61);

a central processing unit (40) and a clock (90) and connected to said display and for updating said display based on a user-input (col. 6, lines 55-65) received from an input device (21) connected to said central processing unit, said user-input being received at a time substantially coterminous when said service performed by employee was last maintained; and

a display configured to continue a display a fixed time until changed by receipt of a subsequent user-input (col. 6, lines 55-65).

Gorra discloses all claimed subject matter except a display for displaying a time when the facility was last maintained.

Neumann teaches using an apparatus comprising a display for a facility being maintained which indicates the respective date and time at which a check or control of the facility was made.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the display system, as taught by Neumann, to the apparatus (10) of Gorra for the purpose of providing a solution for problems of quality assurance and improvement of maintenance by using a visual display device by providing day to day maintenance of restrooms facilities or similar.

Method claim 19 will be met during normal operation of the apparatus stated above.

Regarding claims 2 and 23: Gorra discloses all claimed subject matter except the limitation stated in claim 2, i.e., an additional display for displaying a date when said facility was last maintained.

Neumann teaches using an apparatus comprising a display for a facility being maintained which indicates the respective date and time at which a check or control of the facility was made by a janitorial service.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the display system, as taught by Neumann, to the apparatus (10) of Gorra for the purpose of providing a solution for problems of quality assurance

and improvement of maintenance by using a visual display device by providing day to day maintenance of restrooms facilities or similar.

Method claim 23 will be met during normal operation of the apparatus stated above.

Regarding claims 3, 13 and 20: Gorra discloses all claimed subject matter except the limitation stated in claim 3, i.e., an additional display for displaying a message relevant to said facility.

Neumann discloses an additional display for displaying a message relevant to the facility (Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add Neumann's additional display to display the time that a facility was maintained in the module of Gorra as a means to informing the public about important information.

Method claim 20 will be met during normal operation of the apparatus stated above.

Regarding claims 6 and 14: Gorra further discloses a dot-matrix display based on a technology selected from the group consisting of liquid crystal display technology (col. 7, lines 6-8).

Regarding claim 8: Gorra further discloses an infrared data transfer interface (130) and communicates over an optical data link (131B) with an optional wireless download box (132B). Gorra discloses all claimed subject matter except the limitation stated in claim 8, i.e., an antenna connected to a modem-radio unit, said modem-radio unit operable to communicate with at least one wireless-enabled remote computing

device for uploading data corresponding to a history of times when said input device was actuated.

Neumann teaches a modem-radio unit operable (Figs. 1 and 3) to communicate with at least one wireless-enabled remote computing device (Fig. 1) for uploading data corresponding to a history of times when the input device was actuated.

It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the infrared data transfer system of Gorra, with the modem-radio system as taught by Neumann, since both are an alternative type of data transfer interface which if one is replaced by the other would perform the same function of uploading/downloading data.

Regarding claim 9: Gorra further discloses a data communication port for connected to said processor, said communication port unit operable to communicate with at least remote computing device (col. 7, lines 1-5) for uploading data corresponding a history of times when said input device was actuated.

Regarding claims 10 and 21: Gorra further discloses a remote computing device being operable to update the clock (col. 7, lines 52-61).

Method claim 21 will be met during normal operation of the apparatus stated above.

Regarding claim 16: Gorra further discloses an infrared data transfer interface (130) and communicates over an optical data link (131B) with an optional wireless download box (132B).

Regarding claims 17 and 22: Gorra further discloses said uploading of said data occurring at a time substantially coterminous with when said input device is actuated (col. 8, lines 49-67).

Method claim 22 will be met during normal operation of the apparatus stated above.

Regarding claim 18: Gorra further discloses a remote computing device being a server capable of monitoring multiple instances of said apparatus (col. 8, lines 21-43).

Claims 4, 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Gorra and Neumann as applied to claims 1-3, and further in view of US 6,483,779 to Teixeira.

Regarding claim 4: The combination of Gorra and Neumann discloses all claimed subject matter as stated above. The combination of Gorra and Neumann disclose all claimed subject matter except the limitation stated in claim 4, i.e., a message including a trademark.

Teixeira teaches using a display to display a message a patent, etc. (col. 4, lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the display system of Teixeira, to the apparatus of the combination of Gorra and Neumann for the purpose of providing a means to contacting the service company in case of an emergency or to call for services.

Regarding claim 5: The combination of Gorra and Neumann discloses all claimed subject matter as stated above. The combination of Gorra and Neumann disclose all claimed subject matter except the limitation stated in claim 5, i.e., the facility being a

public transportation depot and said additional display is operable to display departure and arrival information of transportation vehicles associated with said depot.

Teixeira teaches a display is operable to display departure and arrival information of transportation vehicles associated with said depot (col. 4, lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the display of Teixeira to the apparatus of combination Gorra and Neumann for the purpose of providing a display to inform the public of departure and arrival of transportation vehicles associated with the depot.

Claims 7 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Gorra and Neumann as applied to claims 1 and 12, and further in view of US 4,769,765 to Green.

Regarding claims 7 and 15: Gorra discloses an input device including a keypad. The combination of Gorra and Neumann disclose all claimed subject matter except the limitation stated in claim 7, i.e., the input device being selected from the group consisting of a lock-switch, a magnetic card reader and an RF tag reader; and the limitation stated in claim 15, i.e., the user-input being received from an input device, said input device being selected from the group consisting of a lock-switch, ibutton, a magnetic card reader, an RF tag reader, a barcode reader, a wireless device, a cellular phone and any combination thereof.

Green teaches an input device selected from a group consisting of a lock-switch, a magnetic card reader and RF tag reader (col. 2, lines 12-15).

It would have been obvious to one of ordinary skill in the art at the time to add the input device, as taught by Green, to the combination of the apparatus disclosed by Gorra and Neumann, in order to provide a key or card containing information that may be set at times that the equipment may be operated if the remote computing device is inoperable.

Claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Gorra and Neumann as applied to claim1, and further in view of US 6,273,579 to Holloway.

Regarding claim 11: Gorra further discloses a self-contained power-supply within the apparatus for powering the apparatus (col. 7, lines 62-67). The combination of Gorra and Neumann discloses all claimed subject matter as stated above. The combination of Gorra and Neumann disclose all claimed subject matter except the limitation stated in claim 11, i.e., the power-supply including a solar panel.

Holloway teaches (Fig. 1, col. 2, lines 30-33) a self-contained power supply within an apparatus for powering the apparatus including a solar panel.

It would have been obvious to one of ordinary skill in the art at the time to add a solar panel, as taught by Holloway, to the apparatus of the combination of Gorra and Neumann in order to keep the display unit running without providing or charging batteries or energy supply.

Response to Arguments

Arguments are moot in view of new prior art rejection.

Conclusion

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2861.

JMG
May 29, 2006

~~KAMMIE CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800~~



Vit Miska
Primary Examiner